

IC 12-14-22

Chapter 22. Miscellaneous Provisions Concerning Family Assistance

IC 12-14-22-1

Authority to conduct examinations, issue subpoenas, and require attendance of witnesses or production of books and records

Sec. 1. When enforcing a program administered by the county office, the county office and the division may do the following:

- (1) Conduct examinations.
- (2) Subpoena witnesses.
- (3) Require the attendance of witnesses and the production of books, records, and papers at any reasonable place in the county seat of the county in which the witness resides or the books, records, or papers are located.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.99; P.L.5-1993, SEC.112.

IC 12-14-22-2

Signing of subpoenas and subpoenas duces tecum

Sec. 2. A subpoena and subpoena duces tecum must be signed either by the director of the division or a county office.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.100; P.L.5-1993, SEC.113.

IC 12-14-22-3

Compelling obedience to subpoena or request for production; requirements

Sec. 3. (a) The circuit or superior court or other court with jurisdiction in the county shall compel obedience to a subpoena and request for the production of books, records, and papers after the requirements under subsection (b) have been satisfied.

(b) Requirements to compel information under subsection (a) include the following:

- (1) Written application by the officer or employee conducting the examination.
- (2) Ten (10) days notice.
- (3) A showing of the probable materiality of the books, records, and papers, or, for a witness, that the witness is believed to be possessed of information material to the examination.

As added by P.L.2-1992, SEC.8.

IC 12-14-22-4

Making and keeping of records, accounts, and reports

Sec. 4. The county office shall make and keep records and accounts and make reports concerning assistance under this article that the division requires.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.101; P.L.5-1993, SEC.114.

IC 12-14-22-5

Public inspection of claims for services; organization of records; confidential records

Sec. 5. (a) A claim for services furnished recipients of old age assistance or assistance to dependent children that is on file in the county office shall be kept open to the public during regular office hours for inspection, study, and securing data.

(b) The records shall be maintained in alphabetical order.

(c) This section may not be construed to include confidential medical records, voter registration records under IC 12-14-1.5 or IC 12-14-25, and other confidential records that are by law declared to be confidential or privileged.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.102; P.L.5-1993, SEC.115; P.L.12-1995, SEC.118.

IC 12-14-22-6

Furnishing of assistance recipient lists

Sec. 6. Each month the county office shall furnish each township trustee in the county a list of all persons who are legal residents of the township and who have been certified during the month to receive an award of assistance under this article.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.103; P.L.5-1993, SEC.116.

IC 12-14-22-7

Monthly schedule of payments made; filing; organization of information; public inspection

Sec. 7. (a) A schedule of payments made to or for the benefit of each recipient under this article shall be filed by the county office each month with the county auditor and the prosecuting attorney.

(b) The schedule shall be kept open to the public at all times for inspection, study, and securing data. The schedule must contain the names and addresses, in alphabetical order, of all recipients of benefits.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.104; P.L.5-1993, SEC.117.

IC 12-14-22-8

Use of list; violations; notice

Sec. 8. (a) A person who solicits, discloses, receives, makes use of, or authorizes, participates in, or acquiesces in the use of a list or name kept under this chapter for commercial or political purposes commits a Class B misdemeanor.

(b) The division shall notify the co-directors of the election division if a violation of this section concerns confidential voter registration records under IC 3-7-15.

As added by P.L.2-1992, SEC.8. Amended by P.L.12-1995, SEC.119; P.L.2-1996, SEC.237; P.L.3-1997, SEC.433.

IC 12-14-22-9

Relief from liability of maintaining and supporting child or

spouse

Sec. 9. This article does not relieve a person from the liability of maintaining and supporting the person's child or spouse as provided by law.

As added by P.L.2-1992, SEC.8.

IC 12-14-22-10

Recovery of assistance

Sec. 10. If the division or county office has reason to believe that a spouse or parent is or was reasonably able to assist the recipient during the period the recipient received assistance under this article, the division or county office may bring suit during or after the provision of assistance against the spouse or parent to recover the amount of assistance paid under this article or the part that the spouse or parent might reasonably have paid.

As added by P.L.2-1992, SEC.8. Amended by P.L.4-1993, SEC.105; P.L.5-1993, SEC.118.

IC 12-14-22-11

Application for old age assistance or assistance as blind person; county in which to be filed

Sec. 11. (a) Unless for good cause shown or otherwise ordered by the division, an applicant for old age assistance or for assistance as a blind person must file an application in the county in which the applicant has resided continuously for one (1) full year during the period of nine (9) years preceding the date on which the applicant files an application.

(b) If the applicant has resided continuously for one (1) full year in more than one (1) county during the preceding nine (9) years, the applicant must file an application in the county in which the applicant last resided a full year.

(c) If an applicant is living in an institution, private hospital, health facility, or home for the aged, the application must be made to the county in which the applicant last resided continuously for one (1) year before the date the applicant entered the institution, private hospital, health facility, or home for the aged. If the applicant is eligible, assistance shall be awarded by that county.

(d) If the applicant has not resided continuously for one (1) full year during the preceding nine (9) years in one (1) county, the applicant must file an application in the county of residence at the time of application.

As added by P.L.2-1992, SEC.8.

IC 12-14-22-12

Termination of Indiana residency; temporary absence

Sec. 12. An individual who has applied for or is receiving assistance under this article and who moves out of and does not reside in Indiana is ineligible to receive assistance in Indiana. However, temporary absence from Indiana or the county, for a period of time and for reasons that the division approves, does not interrupt the residence of the recipient as prescribed in this article.

As added by P.L.2-1992, SEC.8.

IC 12-14-22-13

Repealed

(Repealed by P.L.109-1997, SEC.3.)